



SATURDAY, - DEC. 21, 1895.

## LAWYER JONES PLEA

COLOR LINE IN JURIES.

AN INTERESTING CASE TO BE SHORTLY HEARD IN THE SUPREME COURT.

The Point Raised That White Men Are Exclusively Drawn on Grand and Petit Juries in the South.

Washington, D. C. Evening Star, (October 31, 1895.)

Upon invitation of some of the colored citizens here Lawyer Cornelius J. Jones of Mississippi addressed a large audience last night in the Vermont Avenue Baptist Church. The object of the meeting was to lay before the colored people of the city the merits of the case of John Gibson and Charles Smith against the state of Mississippi, which it is expected will be called up in the Supreme Court at no distant date. Much interest is being manifested in the case, now only by the colored people here, but throughout the south generally, as it involves the question of colored men serving on juries in the south.

**THE PLAINTIFFS.**  
Both of the plaintiffs are colored men and have been three times convicted by the Mississippi state courts for murder, and the Supreme Court of the state has three times reversed the decision of the lower courts. Having been convicted the fourth time, the case was carried to the state supreme court upon the grounds that there were no colored men on the juries which convicted the men. The supreme court sustained the lower court in excluding colored men from jury duty, and upon this Judge White of the United States Supreme Court in July last granted a writ of error, and certified the case to the Supreme Court.

**PRACTICAL ORATORY.**  
Mr. Jones discussed the various phases of the case and the hearing it would have upon criminal practice in the south in the future. He said "There is a practice prevailing in many of the courts of the south and especially the state of Mississippi, wherein negroes, in state courts, are uniformly excluded from jury service in the courts, however well qualified, and this exclusion is on account of their race and color. The exclusion is affected by state officers purposely and intentionally." He contended that an indictment procured by an entirely white jury, and a conviction procured by an entirely white petit jury, where a negro is on trial is a gross violation of the fourteenth amendment to the Constitution.

**THE COURT WILL AGREE.**  
Mr. Jones said he was confident that the court will concur with him. If the court should sustain Mr. Jones position it will revolutionize the present system of jury service in many states of the south. Both the grand and petit juries of the criminal courts of the south are in every instance almost composed exclusively of white men. The leaders of the colored race have contended for some years that besides being a gross violation of the Constitution, it was an injustice to the negro, as in most every case upon which negroes are tried they are convicted. They are therefore, watching with much interest the outcome of the case, and are hoping and believing that Mr. Jones will be sustained.

Help for the Innocent-Gallian Fishermen Rally.

RICHMOND, VA., December 4, 1895. John Mitchell, Jr.,

We the members of Mary Magdalene Tabernacle, Number 30, National Grand Tabernacle Gallian Fishermen send by our committee, Messrs. L. C. Carrington and P. Blount, the sum of \$5.00 to aid in the defense of the innocent Lumburg women. We are ready to aid you again in this or any other worthy enterprise. Wishing you success, we subscribe ourselves,  
JULIA OWENS, R. W. G. BETTIE BEVERLY, Treasurer, SARAH E. BOOKER, Scribe, RICHARD WASHINGTON, Special D. Deputy Ruler.

**\$150,000 ENDOWMENT PAID.**  
Knights of Pythias Rally.

SOUTHBORO, N. C. Dec. 12, 1895. This is to certify that I have received from John Mitchell, Jr., Grand Chancellor of the Grand Lodge of Virginia, Knights of Pythias, N. A., S. A., E., A. & A. the sum of (\$150.00) one hundred and fifty dollars the amount of endowment on my deceased husband, Riley Moore, who was a member of Richmond Lodge No. 1, of Richmond, Va.

Signed: VINNY MOORE.

Rev. Gullin's Loss.

Richmond, Va., Dec. 16, 1895. Dear Brother Editor:

While engaged in quarterly conference tonight a telegram was handed me announcing the death of my dear mother, Mrs. Catherine Gullin, Easton, Ga. She has been a consistent Christian for over 40 years. Among the children she left behind are three sons in the ministry, a husband and also a son-in-law all preachers of the Gospel. She has been in bed 18 months and said to me a few days ago while on a visit to Georgia to see her; that she would be so glad when she could "go home and rest."

Yours fraternally,  
W. R. GULLIN, Pastor 3rd St. A. M. E. Church.

Visit of the R. W. G. Ruler and R. W. G. Secy. of the G. U. O. of Gallian Fishermen.

Richmond, Va. Dec. 9, 1895. R. W. G. Ruler, Jordan Thompson of Suffolk Va. accompanied with the Grand Secretary, C. O. Steward of Pulaski City Va., paid his annual visit to the order in the city of Richmond which met in mass meeting to greet the distinguished officials at their Temple, 26 W. Broad St.

The Grand Ruler stated that he in company with the Grand Secretary

had made tour of the state of Virginia North Carolina and adjacent states establishing Tabernacles and lecturing to large multitudes of people, in the interest of the G. U. O. of Gallian Fishermen, showing that the order was on a forward march and the Star of Destiny pointed to a large increase of membership by the time the Grand Tabernacle meets in the city of Richmond, July 1896.

W. F. MARON, Cor. Sec'y.

**FOOT BALL.**  
There will be a grand game of Foot Ball at West End Park, Dec. 26, 1895. Howard University, Washington, D. C. against V. N. and O. L., Petersburg, Virginia.

This will be one of the greatest games ever had among the colored people of the South. Both teams are strong. Neither has been defeated as yet on the gridiron. It will be played for the championship of the colored colleges of the East.

**Passed Away.**  
POWERTON CO., VA.  
Mrs. Ann Mosby after a severe illness for several months, departed this life on the 5th day of Dec., she died in the full triumph. She was the wife of Mr. Pembroke Mosby. For many years she was a member of the church and lived a consistent Christian life and always ready to do something for the upbuilding of Christ's kingdom, and to act a sister's part in the church, one who we feel is much missing in the community. Her funeral took place at Mt. Zion Church, Rev. T. P. Harris, officiating. She leaves two daughters and many friends to mourn their loss.

**Removal Notice.**  
The Richmond Beneficial and Insurance Co. have removed to its new quarters 728 N. 2nd St. Parties doing business with them will note the above address.

Rev. W. F. Graham, Pres.  
Jno. T. Taylor Sec & Man

75 CENTS PER WEEK. Organs at Richmond Music Co., 213 E. Broad St.

**Governor's Farewell.**  
(CONTINUED FROM FIRST PAGE.)

the conviction of the prisoners, their transfer to the jail for safe-keeping, under military escort, the good conduct of the volunteered soldiers are all told of. The Governor reviews the legal steps taken in these cases, the appeals of their counsel, his belief that the prisoners would not be safe if sent back to Lunenburg without military guard; the advice of the Attorney-General that their presence there was not necessary; the sending of the Governor's special messenger to the judge of Lunenburg, and his direction to the Sergeant of Richmond not to deliver the prisoners to the Sheriff until Judge Orgain could be heard from.

**THE BATTLE FOR HUMAN LIFE.**  
The action of the Supreme Court during that this proceeding was without authority; the application of prisoners' counsel, for retention of the prisoners in the jail of Richmond, pending the appeal alleging fear of mob violence and the granting of this petition, as well as the facts that the appeals have been heard and the judgments of the County Court of Lunenburg set aside and remanded so that they were returned necessarily to Lunenburg for trial.

**THE SHERIFF'S DECLARATION.**  
The Sheriff of that county has declared and declares he will not call for troops to guard the prisoners on their return. The Gov. insists that the prisoners be returned to the jail in July, because the prisoners were removed to Petersburg, because the sheriff, judge and Commonwealth Attorney called for troops, because of the call for reinforcements, the plan of the prisoners under the charge of the military during the trial, the excitement attending it, and the judge's order sending the prisoners to Richmond.

**MAJOR DERBYSHIRE COMMENDED.**  
Further, because of Major Derbyshire's report calling for more soldiers and his attitude to this effect, concurred in by the county authorities, and the extraordinary precautions taken to guard the prisoners. In this connection the Governor adds:

"I will here say that as a cool, deliberate, and brave officer, I do not believe Major Derbyshire has his superior in the volunteer service of the State."

**THE FEELING WORSE THAN EVER.**  
Continuing, the Governor says:

Since the trials many things have occurred to increase the feeling against the prisoners, and now it is doubtless intensified by the action of the Supreme Court of Appeals in granting a new trial.

I believe firmly from the facts above given and from reliable private information, that if the prisoners are returned to the County of Lunenburg without a military guard, the danger of mob violence is even more imminent now than it was in July last, particularly if there should be a change of venue, acquittals, or hung juries.

Lunenburg Courthouse is a small village, seventy-five to eighty miles from Richmond, sixteen to twenty miles from a railroad and telegraph station, with no telegraphic communication. If troops were called for at any time by the sheriff it would be many hours before they could with the utmost celerity possible reach the scene of trouble.

**A DELIBERATE OPINION.**  
It is my deliberate opinion that a sufficient military guard should accompany these prisoners from Richmond to the place of trial and remain with them until the trials are ended.

It is my deliberate opinion, from the facts stated and information in my possession, that if these prisoners are carried back without military protection and they have any hope now they might as well abandon it.

**NOT THE GOOD BUT THE BAD.**  
In saying this I do not mean to reflect upon the good men of Lunenburg county no more than the judge, Commonwealth's Attorney, and sheriff intended to reflect upon them when they applied so earnestly to me for troops in July last. But if any insist in so constraining it, let me say that it would be unworthy indeed to hold the high and honorable position to which I have been called, if I stifle my sense duty to avoid the censure of the thoughtless or save the feelings of a community.

**WORDS WELL STATED.**  
I have no doubt the people of Lunenburg as a body would condemn and discountenance mob violence, but there are bad and reckless men and women who can be led by their passions to the commission of unlawful deeds in that county as well as elsewhere, and the judge, Commonwealth's Attorney, and sheriff evidently thought so when they applied for troops in July last and the development upon the trial sustained them in their opinion.

(CONTINUED IN OUR NEXT.)

## THE NEW ARMY.

RICHMOND'S GIFT TO ITS SOLDIERY.

Ready for Action.

SKETCH OF THE LIFE OF THE MAJOR COMMANDING.

Richmond is the only city in this country, so far as we have been advised, which has provided so well for its colored citizen soldiery as to erect an armory building at a cost of \$10,000.

Alderman John Mitchell, Jr., was appointed by Mayor J. B. Johnson on the subject and had the honor to put on foot plans for the securing of the appropriation.

He conferred with Alderman J. O. Dickerson and it was principally by his suggestions that he succeeded in accomplishing the great task.

Col. W. E. Cuthaw gave valuable information and after having carefully decided upon the mode of procedure Alderman Mitchell offered a resolution appropriating \$7,500 in 4 per cent city bonds for the erection of an armory for the First Battalion, Va. Volunteer Soldiers, colored.

Major J. B. Johnson, Surgeon S. H. Diamond and Quartermaster Wm. Isaac Johnson, together with Alderman Mitchell secured conveyances and visited every Alderman and councilman. Alderman Mitchell acted as spokesman.

The resolution was passed by the Board of Aldermen after having been acted upon by the Finance Committee.

There was only one vote in the Board against it, that of Alderman Taylor, now Mayor of this city.

In the Board branch, succeeded in securing the appropriation of \$7,500 in 4 per cent city bonds for the erection of an armory for the First Battalion, Va. Volunteer Soldiers, colored.

Col. Cuthaw, the able City Engineer recommended a further appropriation of \$2,000. The committee on grounds and building upon motion of Councilman J. K. O'Brien concurred in this recommendation and after further delay the appropriation was passed.

Major Mitchell Taylor vetoed it and it was passed over his veto by both branches of the Council.

The structure is a handsome one and the troops are proud of it. Thanks are extended to that liberal white citizen, Col. Cuthaw, for his generous contribution to this recommendation and after further delay the appropriation was passed.

In this matter Col. W. E. Cuthaw has been a tireless friend, and it is to him and Assistant City Engineer Bates that credit is due for such a handsome structure as ornaments St. Peter and Leigh Sts.

MAJOR JOSEPH BROWN JOHNSON was born in America Co., Va., March 12, 1841. His parents, Amanda and Alderson Johnson, being free men of color, in 1859, bringing young Johnson with eight other children, consisting of five girls and four boys, while quite young he was put to work under Mr. Thomas Adams, now residing in Manchester, after which he was employed in Mr. James Fisher's tobacco factory until the beginning of the war. He received his exemption papers from the military service, and exempting him from draft on government work. He then sought employment with view of getting his trade at the Bell Island Iron Works.

During this time he became intimately acquainted with and attended private night school taught by Mr. David Bower, who was then a student himself. The circumstances of the times, and the laws of the state prohibiting the colored man from teaching, he abandoned any further teaching of young Johnson.

The late Ballard T. Edwards had a night school at his home in Manchester, known to the authorities and the young man attended this school under many disadvantages until 1882. Time will not permit us to give credit to this interesting sketch here, but it will be given fuller hereafter.

**HIS MILITARY CAREER.**  
He enlisted in the Volunteer Service of Virginia as a private in the 1st Cavalry, Co. C, in 1871 and was elected Junior 2nd Lieutenant of the above named Company June, 1872, but was not commissioned until June 12, 1873. He was then elected First Lieutenant, February 28, 1874 which position he held until 1882, during a part of which time he acted adjutant of the Battalion which was organized June 16, 1870. He was then elected Captain of his company, serving only a few months.

Major K. R. Johnson having resigned, the contest for Major was then opened. Again Johnson being the Junior Captain had no idea of entering the contest or neither did he want it, but his abilities being noticed by his friends who urged upon him to allow his name to be used, he was elected Major June 24, 1882 immediately. The battalion at that time was in a very poor condition, as to drills, uniform, discipline and proper organization. The officers lacked harmony. The new Major bent his energy toward discipline, beginning with the officers, six of whom had to be put under arrest within thirty days after his election and three court-martialed and dismissed from the service.

In 1884 the Battalion was meeting in a hall in an alley which hall was not large enough for one company. Peace and harmony having prevailed, the question of more commodious quarters arose. The old Union Hotel on 7th St., was secured which after some use was found unsafe for Armory purposes.

In 1884 the city purchased the site of St. Peter and Leigh Sts. at the cost of \$4,000.00. He then appointed a committee consisting of the captains of the companies, looking to the erection of an armory there. This committee prosecuted its work until 1893 without any apparent success. In November 1893 this committee was relieved of its duty by the Major, who took the matter in his own hands.

He was relieved by Capt. S. H. Diamond, Lieut. W. Isaac Johnson and Hon John Mitchell, Jr., who worked indefatigably for 12 months and one week up to the time of the appropriation from the city of \$10,000.

This effort on the part of these gentlemen, who did so much work in urging and securing the liberal appropriations through the City Council and the subsequent erection of this magnificent structure as the armory of the First Battalion, is a monument of honor, to all who had a part in securing it, for the purposes for which it was built.

In relieving the above committee the question was asked of the Major who had matters in his own hands then, whom would you get to offer the resolution to the Council to which he replied, "John Mitchell, Jr." Some doubted the propriety of getting him for fear that he was unpopular in the Council. The Major replied, "Gentlemen the matter is in my hand, you need not ditate to me now, all I want is your prayers and if you don't care to

pray you need not." He then proceeded to select Capt. Diamond and Lieut. Johnson and requested them to meet him next day at Editor Mitchell's meeting. These officers were on hand and started on a tour to interview each member of the City Council which proved to be a decided success, for they generously and magnanimously built a noble structure for the colored militia.

On the 12th of October the Committee on Grounds and Building turned the building over to Maj. J. B. Johnson and his officers, Col. W. E. Cuthaw making the presentation speech and Maj. Johnson accepting the same on the part of his command.

On Oct. the 16th the battalion took possession of the building; after which on day bazaar was opened, beginning Oct. 21st, realizing the sum \$175.00 for the Drill Shed.

On Wednesday, December 4th, as the officers of the Battalion were conducting their regular monthly meeting, Col. Cuthaw, the able City Engineer, and his officers, Col. W. E. Cuthaw, Lieut. H. L. Harris, M. D. A hearty vote of thanks was tendered by the board of officers. The ladies left with a feeling of happiness that they had accomplished something more for the Soldier Boys.

The following are the names of the officers and members of the club:  
Miss Catherine Mosby, president; Miss Eveline Edwards, vice-president; Mrs. Ella Glatborne, Treasurer; Mrs. W. T. Edwards, Secretary; Misses Susie E. Taylor, Mattie Anderson; Mesdames Sarah Johnson, Mary Hosley, Sarah Fleming and Martha Cunningham.

**PERSONALS & BRIEFS**  
—Rev. W. F. Graham has severed his connection with the "Virginia Baptist" in every relation.

The installation of Rev. A. S. Thomas, pastor of Sharon Baptist Church has been deferred until the first week in January, owing to the fact that some of the divines whom he is to be present are sick, and some of them are going just now to the exposition.

**WHERE TO BUY.**  
Business Men's Offers.

**SOME OF OUR ADVERTISERS—CALL AND SEE THEM.**  
CHRISTMAS, MERRY CHRISTMAS never grows old and never fails to attract attention. The little folks look forward to its coming with a pleasure which is never surpassed by any of the joys of a lifetime while the older ones are happy to see them happy. You can do much more and make

But presents will be received and given. We must make some recommendations. Will you call on our advertisers when we tell you that it will pay you so to do. Tell them you saw their advertisement in the PLANET.

There's the  
COHEN COMPANY.

Broad St., between First and Foushee Sts. We have only to tell you about Mr. Sam Cohen. You all know him. He's polite to everybody. The world is his field. He is after trade and he'll cut the prices in order to get it.

Mr. Ike Cohen may be found there directing the management of this mammoth store.

Goods and dresses, china ware, books, gentlemen's furnishings, toys, and in fact everything that the heart could wish. Walk in and see the display of goods. From the cheapest to the highest. Whatever you want you'll find there. Just look at those

**MADE FRESH EVERY DAY.**  
—IN ENDLESS VARIETY AT—  
—DYER'S—  
614 East Marshall Street Near Seventh.

Where you'll find a full assortment of FRENCH CANDIES, NUTS, RAISINS, FIGS and at the lowest prices. Special prices to Stores, Churches, Teachers, &c.

**Is It Holiday Goods You Want To BUY?**  
If So, See the Assortment in

**William Daffron's**

Four Stores on East Main St. Bet 14th and 15th

Presents suitable to give anybody and at prices that are right. Scan this little list and call and satisfy yourself:

Rockers, all kinds and sizes

Desks, Book-Cases, China Closets,

Wardrobes, Couches, Lounges Tables.

Easy Chairs, Hall Trees, Mirrors.

Cribs, Enamel Beds, Screens Easels.

Clocks, Lamps, Stoves and arpets

together with the largest stock of hamber and Parlor Furniture in the state

**CASH or CREDIT**

1420, 1434, 1436 and '38

East MAIN STREET.

corner is well-known to all over the city—11th and Main Sts. Saks' prices are quoted and imitated, but never surpassed. The place is fine—a palace so to speak, but the poor are welcomed as well as the rich and high prices are side by side with the low ones. It is to your interest to call and see them. Tell them you read the PLANET. What's the use of reminding you that Messrs.

**JULIUS SYCLE & SON**  
the well-known business firm has prepared a place for you to come. You all know Mr. Julius Sytle. You have not a better friend in this line. Prices away down and the quality of the goods sold guaranteed as represented. He's on the corner of 2nd and Broad Sts. Call and see him and be convinced. He has the finest fabrics, silks, cloaks, house furnishings, and toys in abundance. Call on him and avail yourselves of the bargains even if you have to run to Mr.

**ALBERT STEIN,**  
who is doing a fine business at his new stand, 418 E. Broad St. You know he has cut prices. Look at his windows and call and save money. Mr. Stein is always there and ready to serve you. His business tact brings success. Yes they are new comers to this journal, but he is known to the business world. We refer to Messrs.

—Send in your subscription and do not delay the collector

For more than a score of years

**Merry Christmas!**  
has been made more Merry by the pluck, energy and careful preparation of the

**Cohen Company**

The selling time is drawing too short for all these three acres of Holiday Merchandise, so we add night-time, and keep the store open from now to Christmas until 10 o'clock.

LET EVERY ONE be filled with Christmas gladness. The People's Store will find space for ALL RICHMOND. PROFESSOR STEIN WITH HIS THEATRE ORCHESTRA will do his best to add pleasure to the trip. Music from 8 to 10 o'clock every night.

needs no recommendation here. They have removed to the corner of 4th and Broad Sts., where they have an enormous space for storing their stock and yet this is not room enough. Credit is the watchword. If you anticipate marriage, send your lady friend to pick out the furniture. If you are married, send your wife to see what she needs for the household. Mr. Rohert will treat you right. Call on him. The well-known

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**MESSRS. A. SAKS & CO.**  
needs no recommendation at our hands. If we say Mr. Jacob Saks, the capable manager recommends it, why its so, and the article is guaranteed. Saks

422 E. Broad St., have made their bow and offering shoes to you: at remarkably low prices. Mr. Leo Stein will treat you right and insure you bargains. Call and see him. The prices on good shoes are such as to make you think a mistake has been made. Carry the children there and shoe them.

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